

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 12/3/2013	(3) CONTACT/PHONE Kami Griffin, Acting Director / 781-5708	
(4) SUBJECT Update on Department of Planning and Building Priorities relating to Implementing Strategies outlined in the Conservation and Open Space Element relating to water demand and supply and workload associated with implementation of Urgency Ordinance 3246 that applies to development in the Paso Robles Groundwater Basin. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: (1) Provide direction regarding amendments – authorize staff to begin processing of amendments as necessary (2) Provide direction regarding staffing resources for fiscal year (FY) 2013-14 and 2014-15			
(6) FUNDING SOURCE(S) Department Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input checked="" type="checkbox"/> Board Business (Time Est. <u>30 minutes</u>)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>10-15-13</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Kami Griffin, Acting Director

DATE: 12/3/2013

SUBJECT: Update on Department of Planning and Building Priorities relating to Implementing Strategies outlined in the Conservation and Open Space Element relating to water demand and supply and workload associated with implementation of Urgency Ordinance 3246 that applies to development in the Paso Robles Groundwater Basin. All Districts.

RECOMMENDATION

It is recommended that the Board:

- (1) Provide direction regarding amendments – authorize staff to begin processing of amendments as necessary.
- (2) Provide direction regarding staffing resources for fiscal year (FY) 2013-14 and 2014-15

DISCUSSION

Background

Beginning in October of 2008, the Department of Planning and Building has been providing reports to the Board of Supervisors on Department workload and priorities. On October 15, 2013, the Department presented the latest comprehensive priority and workload update to the Board. As part of your Board's discussion on that day, direction was provided to staff to come back at a future Board meeting with additional information on potential implementation of water demand and supply implementing policies as set forth in the Conservation and Open Space Element of the General Plan.

Department Priorities

On October 15, 2013, your Board agreed with the workload set forth as part of the workload tables and "Top 10" list attached to that staff report (see Exhibit C for an updated table including the Top 10 priorities). In order to complete the items that are on the Department's workload tables and on the Top 10 list, all staff as currently allocated under the Department's Position Allocation List (PAL) is completely assigned (including vacant positions). The items that are on the current workload tables of the Department reflect the Department's four guiding priorities first established in 2009 that:

- (1) Paying customers are not adversely affected;
- (2) Mandates are accomplished;
- (3) The department should focus on those items that forward the goals and the implementation of a Comprehensive County Energy Strategy; and
- (4) The department should focus on those items that forward the goals and the implementation of a County Economic Strategy.

The Board directed that a staff report and discussion about the resources that would be necessary to accomplish additional items that are not currently shown on the Department's workload tables be prepared. This staff report will provide an update to the Board about the status of those additional items and the additional resources needed for implementation. In addition, this report will also provide information about resources necessary to continue to implement Urgency Ordinance 3246 adopted for the Paso Robles Groundwater Basin.

Attached Exhibits

Exhibits A and B, provide the Board with an updated status of efforts on Implementing Strategies as set forth in the Conservation and Open Space Element (COSE) relative to water demand management and supply (note: Exhibit C is an updated version of the Department's workload tables reflecting the information provided in both Exhibits A and B). Exhibit A provides the status of those strategies that would be implemented by the Department of Planning and Building, as well as a description of how the strategies could be implemented if they are not currently in development. Exhibit B provides the status of those strategies that would be implemented by Public Works.

Exhibit A

Included in Exhibit A in the comments are notes as to how these strategies could be implemented and if any additional staff or funding are needed. Both limited term and permanent resource needs are itemized. In general, if the Board were to authorize the processing of any of the amendments set forth in Exhibit A, additional staffing of 1.0 limited term FTE would be required.

The other option would be to evaluate postponing other items that are a part of the current workload. However, in reviewing the Department's current workload, there are not many discretionary items that could be postponed. A majority of the items on the lists are either mandated by local, state or federal requirements, a part of work being completed with grant funding, services that are provided regularly to the public or are individual applications whose applicants have paid a fee for processing. Items that do not fall into one of these categories have already been postponed and are not being worked on.

Therefore, it would appear that if the Board were to add work on Countywide amendments relating to water, additional staff would be needed. Limited term staffing could be used for the two to three years it would take to process the amendments, including outreach, environmental review and public hearings. If the Board wishes to begin work on these amendments immediately, a mid-year adjustment to the Department's budget would be necessary. Otherwise, this position could be included in the proposed budget for FY 2014-15. Under this scenario, work on any amendments would not begin until sometime after July 2014.

The potential amendments listed in Exhibit A range from modifying the minimum parcel size in certain rural areas (for instance those with a certified level of severity III applied to a resource), to amending the water efficient landscape ordinance, to adopting an ordinance that requires that all new development be water neutral. Each of the amendments listed would have a slightly different impact on water demand. Also, some amendments may be easier to enforce after adoption than others. If your Board chooses to authorize the processing of any of the amendments listed, these specifics would be evaluated during the review process which includes outreach, environmental review and public hearings before both Planning Commission and your Board.

Exhibit B

The work efforts that are ongoing in Public Works that are listed on Exhibit B are being performed by the staff assigned to the Utilities Division of Public Works. No increases in the existing approved Position Allocation List is necessary for Public Works to continue to work on the items listed in Exhibit B although use of existing financial reserves of the San Luis Obispo County Flood Control and Water Conservation District will be needed for continuing work on the Paso Robles Groundwater Basin, including the work of outside Counsel to the extent that proves necessary. The requested budget adjustments will be brought to your Board when contracts for consultants are recommended for approval in the near future. Likewise, increasing other Countywide water resource efforts by Public Works may also require budget augmentations from Flood Control reserves.

Paso Robles Groundwater Basin Urgency Ordinance 3246 Implementation

Staff has begun to implement the provisions of the Urgency Ordinance including issuance of Offset Clearances for both residential and agricultural projects and determinations of various exemptions from the ordinance.

Staff is currently issuing Offset Clearances for residential development and is in the process of preparing a formal residential offset program for your Board to review and approve by Resolution shortly after the

first of the year. The current implementation and ongoing implementation of that program once approved by Resolution can be completed as part of the review of Construction Permits and can be covered by the fees paid for the review of Construction Permits.

Staff is also issuing Offset Clearances for agricultural projects. Currently there is no fee for this effort and therefore the Department's General Fund Support is covering the costs. The development of the Agricultural Offset program is being accomplished with the assistance of the Resource Conservation District (RCD). As of the date of the preparation of this report, the Department has not yet received a proposal from the RCD so the final cost and details of development of that program is unknown. The additional cost of preparation of the program will be tracked and reported as part of the Department's Quarterly Reports on the FY 2013-14 budget. If additional funding is needed, this will be requested during FY 2013-14.

Ongoing implementation of the program once approved by Resolution would need to be covered by a fee unless it would continue to be covered by the Department's general fund support. An amendment to the County's fee ordinance that applies to FY 2013-14 will need to be completed and approved during this fiscal year.

In order to continue to implement the Urgency Ordinance without having impacts to existing services, one limited term FTE is needed. The term of this FTE would be two years, to run concurrently with the effective date of the Urgency Ordinance. As this ordinance is currently in effect, a mid-year adjustment to add the necessary staffing and funding resources would be necessary. If included in the FY 2014-15 budget, staffing would not be available until sometime after July 2014.

Other Potential Amendments

Staff is continuing to review other ordinances to determine if there are ideas that are currently in use by counties, cities or water districts that could be put in place for the Paso Robles Groundwater Basin or countywide per your direction from October 1, 2013. We will bring any ideas forward for review and authorization by the Board in the first quarter of 2014. To date, the ordinances that have been reviewed do not lend themselves to adoption and enforcement by the County as they are primarily addressing conservation measures enforced by water purveyors and don't work well for implementation with individual onsite wells.

Staff is also continuing a review of programs and policies in the adopted County General Plan. There are policies and programs in the General Plan dealing with water supply and agricultural water supply that don't reflect the Resource Management System Level of Severity designation. These policies and programs may need to be amended to address what a Level of Severity might mean for water supply in general. Staff will bring forward a recommendation to the Board on which policies and programs should be amended and how those amendments could be written in the first quarter of 2014.

Summary

On October 15, 2013, the Department estimated that in order to complete the revenue generating items on Table 1, 37.75 FTE (full time equivalent) positions are needed. The active mandated and budgeted programs on Tables 2 and 3 require an approximate additional 52.75 FTE positions. The Department currently has 90.5 FTE positions on the Position Allocation List (PAL). At this time, 5.00 of these positions are vacant and two are actively under recruitment.

If the Board were to add Countywide amendments relating to water to the Department's current workload, one limited term FTE is needed. In addition, in order to continue to implement the Urgency Ordinance without having impacts to existing services, one limited term FTE is needed.

The Planning and Building Department will continue to provide updates to your Board relative to the Department's priorities and progress towards completion of our assigned workload.

OTHER AGENCY INVOLVEMENT/IMPACT

The Department regularly coordinates with County Counsel, Public Works, Agriculture Commissioner's Office, and Environmental Health on water issues and implementation of the general plan. Continued collaboration and coordination between these agencies, stakeholders, advisory councils and others will occur during the processing of amendments if any are authorized.

FINANCIAL CONSIDERATIONS

Adding Countywide amendments relating to water to the Department's current workload would require one limited term FTE. The term of this FTE would be two to three years to reflect the time it would take to process the amendments, including outreach, environmental review and public hearings. This position would be a limited term Planner I – III at a maximum annual cost of \$114,365 (salary and benefits).

Continuing to implement the Urgency Ordinance without having impacts to existing services would require one limited term FTE. The term of this FTE would be two years, to run concurrently with the effective date of the Urgency Ordinance. The position would be a limited term Planner I – III at a maximum annual cost of \$114,365 (salary and benefits).

RESULTS

The discussion with the Board and direction on pursuing certain amendments will provide more clarity about the overall workload, priority of workload items and specific programs for the Department to focus on in remaining months of FY 2013-2014 and looking ahead for FY 2014-2015, consistent with the countywide goal of a Well-Governed Community.

ATTACHMENTS

Exhibit A – Table of Implementing Strategies – COSE – Planning and Building Department
Exhibit B - Table of Implementing Strategies – COSE – Public Works Department
Exhibit C - Description of Tables 1 - 6 / Guiding Priorities and Tables 1, 2, 3, 4, 5, and 6